

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Krishna District – Withdrawal of prosecution against the accused in Cr.No.238/09 under section 309 of the Indian Penal Code, 1860 of Tiruvuru Police Station, pending before the Hon'ble Addl.Judicial First Class Magistrate Court, Tiruvuru – Amendment to G.O.Rt.No.155, Law (LA&J-Home-Courts-B) Department, Dated:17.01.2011 – Orders – Issued.

LAW (L.A. & J – HOME – COURTS-B) DEPARTMENT

G.O.Rt.No. 453

Dated:28.02.2012

Read the following:

1. From the Director General of Police, A.P., Hyderabad, Lr.Rc.No.4489/Compts.1/2010/TC-0938, Dt:04.12.2010
2. G.O.Rt.No.155, Law (L.A&J-Home-Courts-B) Department, Dated:17.01.2011;
3. W.P.No.33007/2011 and W.P.No.2324/2012 filed by Sri K.Rajender Prasad and others.
4. From the Government Pleader for Home, Hon'ble High Court of Andhra Pradesh, Hyderabad, Lr.W.P.No.33007/2011/KJR/Home, Dated:24.01.2012 and 17.02.2012
5. Govt.Memo.No.1944/Courts-B2/2012, Dt:25.01.2012
6. Copy of Chargesheet filed u/s.309 of the IPC in Cr.No.238/09 of Tiruvuru P.S., Krishna District with the order of Addl.Judicial Magistrate of First Class, Tiruvuru taking cognizance as CC No.395/10.

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ORDER:

In the reference 1st read above, the Director General of Police, A.P., Hyderabad, based on the report of the Superintendent of Police, Krishna District and the Addl.Public Prosecutor concerned has recommended for withdrawal of prosecution against the following accused in Cr.No.238/09, under section 309 of the Indian Penal Code, 1860 pending before the Hon'ble Addl.Judicial First Class Magistrate Court, Tiruvuru vide CC No.394/2010;

S/Sri

1. Khammam Rajendra Prasad @ Raju, S/o.Ramesh; and
2. Kothapalli Ananda Swaroop, S/o.Prasada Rao.

2. In the reference 2nd read above, necessary orders have been issued accordingly. In the letter 3rd and 4th read above, the Government Pleader for Home, Hon'ble High Court, Andhra Pradesh, has informed that the said accused have filed a Writ Petition wherein among other things, sought for correction of CC No.395/2010 instead of 394/2010. In the reference 5th read above, a report from the Director General of Police, A.P. Hyderabad is sought.

3. In the reference 6th read above, copy of the chargesheet was obtained from the Court of Addl.Judicial Magistrate of First Class, Tiruvuru which shows that CC No.395/10 was assigned having taken cognizance by the Addl.Judicial Magistrate of First Class concerned in Cr.no.238/09 under section 309 of the Indian Penal Code, 1860 of Tiruvuru Police Station against the said accused.

4. Government however after careful examination of the matter, taking into consideration the letter of the Government Pleader for Home, Hon'ble High Court, A.P., Hyderabad and the W.P. filed thereon, have decided to issue the following amendment to G.O. 2nd read above.

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AMENDMENT

For the words "CC No.394/2010" wherever occurring in the said G.O., the words "CC No.395/2010" shall be substituted.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.SHANKAR NARAYANA,
SECRETARY TO GOVERNMENT
LEGISLATIVE AFFAIRS & JUSTICE

To

The Collector & District Magistrate, Krishna District at Machilipatnam;

The Director General of Police, A.P., Hyderabad.

The Superintendent of Police, Krishna District at Machilipatnam

The Asst.Public Prosecutor concerned (thro' Collector concerned)

Sf/Sc.

// FORWARDED :: BY ORDER //

Section Officer